



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982



Gary Fitzgerald
40 Lupkin Road
Weare, NH 03281

November 28, 2001

RE: Letter of Deficiency #SP-2001-014

Dear Mr. Fitzgerald:

This letter is to inform you that the Department of Environmental Services, Water Division ("DES") has not received your compliance report pursuant to **Letter of Deficiency ("LOD") #SP-2001-014**, issued by the Division on July 16, 2001. The returned signed receipt shows that the LOD was received on July 19, 2001. Our records indicate that your compliance report was requested by August 20, 2001.

DES believes that most people are willing to comply with applicable environmental laws when they understand what the requirements are, and so uses a Letter of Deficiency to provide an individual the opportunity to come into compliance voluntarily. If the LOD is not effective in achieving compliance, DES can consider taking stronger enforcement action, such as imposition of administrative fines, issuance of an administrative order, or referral to the New Hampshire Office of the Attorney General.

You may avoid further enforcement action by responding to DES within **(5) working days** from receipt of this letter, and taking the necessary measures to come into compliance as outlined in the LOD. Please contact the Shoreland Program at (603) 271-6876.

Sincerely,

COPY

Mary Ann Tilton
Senior Enforcement Officer
Wetlands Bureau

CERTIFIED MAIL

cc: Gretchen C. Rule, Enforcement Coordinator-NHDES
Russell A. Nylander, P.E., Chief Engineer-WD/NHDES
Shoreland Program-NHDES
Weare Conservation Commission
Weare Board of Selectmen
Weare Building Department